

## **PART 1**

### **CHARTER AND SPECIAL ACTS**

#### **SUBPART A**

#### **CHARTER\***

##### **Subpt. A. Charter**

- Ch. I. Incorporation and General Powers, secs. 101-103**
- Ch. II. Elections, secs. 201-203**
- Ch. III. Elected Officers, Boards and Commissions, secs 301-303**
- Ch. IV. The Board of Selectmen, secs. 401-408**
- Ch. V. The First Selectman, secs. 501-502**
- Ch. VI. Appointive Personnel, secs. 601-610**
- Ch. VII. Finance and Taxation, secs. 801-807**
- Ch. IX. Town Employees, sec. 901**
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- Ch. XI. Conflict of Interest and Code of Ethics, secs. 1101-1102**
- Ch. XIII. Miscellaneous Provisions, secs. 1201-1211**

##### **Subpt. B. Special Acts Relating to the Town**

### **CHARTER I. INCORPORATION AND GENERAL POWERS**

#### **Section 101 Incorporation**

All of inhabitants dwelling within the territorial limits of the Town of Suffield as heretofore constituted, shall continue to be a body politic and corporate under the name of "The Town of Suffield," hereinafter called "the Town," and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by said Town and not inconsistent with the provisions of this Charter, the additional powers and privileges conferred upon towns under the General Statutes of the State of Connecticut.

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\*Editor's note-Subpart A contains the revised Charter of the Town of Suffield passed by the voters of the town in referendum during the general elections of Tuesday, November 6, 1984, and effective on January 7, 1985.

#### **Section 102 Rights and Obligations**

All property both real and personnel, all rights of action and rights of every description and all securities and liens in said Town as of the effective date of this Charter are continued. Nothing herein shall be construed to effect the rights of said Town to collect any assessment, charge, debt, or lien. The Town shall continue to be responsible for its debt, and obligations. If any contract has been entered into by said Town prior to the effective date of this Charter, or any bond or undertaking has been given by or in favor of said Town, which contains provisions that the same may be enforced by any office or agency therein named which is hereby abolished or superseded by the creation herein of a new commission, board or office to which are granted similar powers and jurisdiction, such contracts, bonds or undertakings shall continue in full force and effect. Powers conferred and the duties imposed with reference to the same upon any such office or agency shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the First Selectman of the said Town.

#### **Section 103 General Grant of Powers**

In addition to all powers granted to towns under the Constitution and the General Statutes, or which may hereafter be conferred, the Town shall have powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted, all powers conferred by the General Statutes, and by

special acts of the General Assembly not inconsistent with this Charter, and all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States Government or any branch thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate not expressly forbidden by the Constitution and the General Statutes of the State of Connecticut. The enumeration of the particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

## CHAPTER II. ELECTIONS

### Section 201 General

Nomination and election of Federal and State officers and of such Town officers, boards and commissions as are provided for in this Charter shall be conducted, and the Registrars of Voters shall prepare lists of electors qualified to vote therefore, in the manner prescribed in the Constitution and the General Statutes and special acts of the State of Connecticut applicable to the Town. A ~~meeting of the electors~~ Biennial Town election of the Town of Suffield for the election of municipal officers shall be held on the first Tuesday after the first Monday of November in 1985 and biennially thereafter.

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### Section 202 Eligibility

No person shall be eligible for election to any town office who is not at the time of his election an elector of the Town as defined by Section 9-1 of the General Statutes. Any person ceasing to be an elector of the Town shall thereupon cease to hold elective office in the Town.

### Section 203 Minority Representation

Membership in all elective or appointive boards, commissions, committees, or similar body of the Town shall be determined in accordance with the minority representation law as set forth in the General Statutes except for the Board of Selectmen as provided in Section 401 of this Charter.

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### Section 204 Vacancies in Elective Offices

Any vacancy, from whatever cause arising in any elective town office, excluding the Board of Education and the Board of Finance and the office of the First Selectman, shall be filled within thirty days of such vacancy by appointment of the Board of Selectmen, for the unexpired portion of the term. Any such vacancy shall be filled by the appointment of a member of the same political party as the person vacating the office in the event said person was affiliated with a political party.  
(Approved 11-3-87, sec. 2)

Vacancies on the Board of Education and on the Board of Finance shall be filled by the remaining members of such Board, and shall be filled by appointment for the unexpired term or until the next regular town election, whichever event shall first occur. Any such vacancy shall be filled by the appointment of a member of the same political party as the person vacating the office in the event said person was affiliated with a political party. If there is a regular town election before the expiration of the term of office of any person appointed to an elective office under the provisions of this section, such office shall be filled by the election of a person to fill that office for the unexpired portion of the term such person to take office immediately upon election.

If a vacancy shall occur in the office of First Selectman ~~or office of the Selectmen~~, the successor shall be chosen in accordance with the provisions of the General Statutes.

### Section 205 Board for the Admission of Electors

In accordance with the provisions of the General Statutes, the Board for Admission of Electors shall consist of the Town Clerk and the Registrars of Voters.

### Section 206 Voting Districts

Unless otherwise established by ordinance, there shall be one voting district in the Town.

### **CHAPTER III. ELECTED OFFICERS, BOARDS AND COMMISSIONS**

#### **Section 301 General Powers and Procedures; Records**

A. Except as otherwise provided in this Charter, all elective town offices, boards and commissions in existence on the effective date of this Charter shall remain in existence under this Charter, and shall have the powers and duties prescribed by the General Statutes, special acts applicable to the Town and Town ordinances, as the same may be amended from time to time.

B. All boards and commissions shall make regulations for the conduct of their meetings and execution of their duties. Such regulations and any amendments thereto shall be filed with the Town Clerk and shall be public records.

C. Copies of all minutes taken by each board and commission and the recorded vote of each member hereof on all issues shall be filed with the Town Clerk and with the First Selectman within the time specified in the General Statutes. The Town Clerk shall maintain files of such minutes, which shall be public records.

#### **Section 302 Elected Town Officers, Boards and Commissions**

Beginning with the regular biennial town election held in November 1985, the following officers and members of boards and commissions shall be elected. Except as otherwise provided in this Charter, the terms of office of all elective officers, board, and commission members shall commence on the second Tuesday following their election and shall not expire before the election and qualification of their successors.

A. The First Selectman and four Selectmen shall comprise the Board of Selectmen, and each shall be elected for a term of two years, in accordance with the General Statutes. Any unsuccessful candidate for the office of First Selectman shall not be accorded a seat on the Board of Selectmen by virtue of the number of votes that candidate receives. No person may simultaneously be a candidate for both the office of First Selectman and the office of Selectman.  
(Approved 11-6-01)

B. The Town Clerk for a term of four years rather than two years effective with the election of 1987.

The term of office of the Town Clerk shall commence on the First Monday in January.

C. The Town Tax Collector for a term of four years rather than two years effective with the election of 1987. The Tax Collector shall have all the powers and duties not inconsistent with this Charter heretofore performed by the Tax Collector and such powers and duties not inconsistent with this Charter as may be conferred or imposed by the General Statutes on such office and as may be prescribed by ordinance or the Board of Selectmen, including the collection of all sewer fees and sewer assessments.

D. The Town Treasurer, for a term of four years rather than two years, effective with the election of 1987.

E. The Board of Finance shall consist of six members, each of whom is elected for a term of four years.

Each party may nominate and each elector may vote for the full number of candidates to be elected. Three members shall be elected at each biennial election. There shall be three alternate members, each of whom is selected for a term of four years. All alternates are to be elected at the same election, and quadrennially thereafter. Members of the Board of Finance shall be excluded from any salaried town office.

F. The Board of Education shall consist of nine members, each of whom is elected for a term of four

years. Four members are to be elected at the regular biennial town election held in November, 1985, and five members are to be elected at the regular town election held in November, 1987. At each biennial election thereafter there shall be elected members of such Board in place of the members whose terms expire. Nominations and elections shall be governed by General Statutes 9-204B. Each party may nominate and each elector may vote for the full number of candidates to be elected.

G. The ~~Board of Tax Review~~ Board of Assessment Appeals shall consist of three members each of whom is elected for a term of four

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years. At each biennial election thereafter there shall be elected members of such board in place of members whose terms expire.

H. The Board of Police Commissioners shall consist of six members, each of whom is elected for a term of four years, in accordance with Special Act 100 (1945). At each biennial election there shall be elected members of such board in place of members whose terms expire.

I. The Board of Fire Commissioners shall consist of six members, each of whom is elected for a term of four years. At each biennial election there shall be elected members of such board in place of members whose terms expire.

J. Eighteen Justices of the Peace as the Town may by ordinance determine to be selected, rather than elected, as provided in Sections 9-184 and 9-252 of the General Statutes. The term of office shall be four years and shall commence on the first Monday in January following their selection.

K. The Water Pollution Control Authority shall consist of seven members, each of whom is elected for a term of four years. At the election of the Town of Suffield held in November 1985, there shall be elected two members for a term of four years; at the election to be held in November 1987, there shall be elected two members for a term of four years; at the election to be held in 1989, there shall be elected three members for a term of four years and then at the election to be held in 1991 there shall be elected four members for a term of four years. At each biennial election thereafter there shall be elected members of such board for a term of four years in place of the member or members whose terms expire. The WPCA annual budget shall be submitted each year to the Board of Finance for review, comment and advice.

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L. A ~~Zoning and Planning~~ and Zoning Commission, consisting of six regular members and three alternates, each of whom is elected for a term of four years. At a municipal election of the Town of Suffield to be held in November, 1987, there shall be elected three members and two alternates for a term commencing the second Tuesday following the 1991 municipal election, and there shall be elected three members and one alternate for a term commencing the second Tuesday following the 1989 municipal election. At appropriate municipal elections thereafter there shall be elected members of such commission for a term of four years in place of the members whose terms expire.

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Section 706 D of the Charter, which provided for an appointed ~~Zoning and Planning~~ and Zoning Commission is hereby replaced and superseded, effective 10:00 a.m. on the second Tuesday following the 1987 municipal election, except that the current regular members alternates of that Commission or their successors shall continue to hold office until their successors elected hereunder have been qualified to succeed them on the second Tuesday following such election. The rules, regulations and orders of the current ~~Zoning and Planning~~ and Zoning Commission not inconsistent with the provisions of this charter shall be and shall continue to remain in full force and effect unless and until amended or repealed.

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The ~~Zoning and Planning~~ and Zoning Commission hereby established under this provision shall be considered fully adopted and established under the provisions of the Connecticut General Statutes without further vote of the legislative body of the Town of Suffield, and the Rules, Regulations and Orders of the current ~~Zoning and Planning~~ and Zoning Commission not inconsistent with the provisions of this Charter shall be and shall continue to remain in full force and effect without further public hearing and vote by the ~~Zoning and Planning~~ and Zoning Commission established under this provision unless and until amended or repealed.

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Unless otherwise provided in this Charter, all incumbent elected officers and members of boards and commissions on the effective date of this Charter shall continue to hold the offices to which they were elected for the terms for which they were elected and until their successors elected hereunder have been qualified to succeed them. Unless otherwise provided by this Charter, officers of elected boards and commissions shall be chosen biennially at a meeting held after the commencement of terms of members elected at the regular biennial town election.

(Approved 11-3-92)

### **Section 303 Elected State Officers**

At the state election to be held in November 1986, and either biennially or quadrennially thereafter, as the case may be, there shall be elected the following officers:

A. Two Registrars of Voters, in accordance with the application provisions of the General Statutes, for terms of four years, unless subsequently otherwise provided by ordinance, to take office from the Wednesday following the first Monday in January succeeding their election.

~~B. A Judge of Probate for the Probate District of Suffield, in accordance with applicable provisions of the General Statutes, for a term of four years.~~

## **CHAPTER IV. THE BOARD OF SELECTMEN**

### **Section 401 Composition**

The Board of Selectmen shall consist of the First Selectman and four Selectmen, no more than three of whom the Board of Selectmen shall be members of the same political party and who shall be elected as this Charter provides.

(Approved 11-6-01)

### **Section 402 General Powers and Duties**

Except as otherwise specifically provided for in this Charter, the Board of Selectmen shall have the powers and duties which on the effective date of this Charter were conferred by the Constitution and the General Statutes of the State of Connecticut upon the Board of Selectmen, and shall continue to have such powers and duties as the Constitution and General Statutes, and this Charter, as the same may be amended from time to time confer.

### **Section 403 Appointments**

The Board of Selectmen shall have the power to appoint such personnel and members of Boards and Commissions as provided for in Chapters VI and VII of this Charter, and by the General Statutes.

### **Section 404 Organization**

The newly elected Board of Selectmen shall hold an organizational meeting within fourteen days after taking office. The First Selectman shall assume the chair as permanent presiding officer of the Board. The Board shall then designate who shall act in place of the First Selectman in the event of absence or disability.

### **Section 405 Procedure**

The Board of Selectmen in accordance with the General Statutes and this Charter shall fix the time and place of its regular meetings and provide a method for the calling of special meetings. It shall determine its own rules of procedure, except that each Selectman shall always retain the ability to make a motion or offer a proposal which shall be considered by the Board without the necessity of a second. The votes of each member shall be recorded at the session at which they occur, and reported in the minutes of such meeting. Three members shall constitute a quorum and no resolution or action shall be adopted by less than three affirmative votes.

(Approved 11-6-01)

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All meetings shall be open to the public excepting that upon a majority vote, portions of the meeting may be closed to the public for executive sessions.

#### **Section 406 Emergency Ordinances**

If the Board of Selectmen shall find that an emergency exists in the Town affecting public peace, health or safety, it shall be empowered to adopt regulations and ordinances stating the facts constituting the public emergency, which regulations shall become effective immediately upon the affirmative vote of no less than ~~three~~ members of the Board without public hearing or notice thereof. When the Board of Selectmen shall find that an emergency no longer exists, it shall so declare and terminate the state of emergency. Every such emergency regulation or ordinance shall be repealed upon the termination of the emergency and shall automatically stand repealed at the termination of the sixty-first day following the adoption thereof. Provided, however, that if action has been initiated on the same subject matter providing for a permanent ordinance under this Charter prior to the sixty-first day, then such emergency ordinance shall remain in full force and effect until final action is taken on said permanent ordinance.

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#### **Section 407 Investigations, Removals**

A. The Board of Selectmen shall have the power to investigate any and all appointive agencies, boards, commissions, departments and offices, and for such purposes shall have the power to call witnesses before the Board of Selectmen to testify as to any matter under investigation.

B. Subject to the provisions of the General Statutes and any municipal collective bargaining agreements made thereunder by the Town of Suffield, the Board of Selectmen shall have the power to and may remove for cause, which cause shall not be political, by affirmative vote of the majority of the Board, any person appointed to any agency, board, commission, department and office by the Board of Selectmen. Removal by the Board of Selectmen of any such person shall be commenced by the giving of a written notice of proposed removal, stating the reasons for such removal and the effective date of such removal, which date shall not be less than fourteen days after receipt of said notice by the person to be removed. If such person shall desire a hearing thereon, he shall request the same in writing within ten days of the receipt of said notice and the Board of Selectmen shall set a hearing date not less than ten days nor more than thirty days after receipt of said request and shall take final action on said removal not more than thirty days after said hearing.

If a hearing is held as provided herein, the person to be removed shall be entitled to be represented by counsel, and to present witnesses and evidence in support of his position.

If the person to be removed shall fail to so request a hearing then the removal shall take effect on the date stated in said notice.

C. If the Board of Selectmen has reason to believe that pending the effective date of a removal, the immediate suspension of the person to be removed is necessary for the protection of the interests of the Town, they may serve a written notice of suspension upon such person. Such suspension shall become effective immediately and remain in effect pending the completion of the removal proceeding unless such suspension is modified or terminated by the Board of Selectmen or a court of competent jurisdiction.

D. The compensation of a person being removed or suspended shall continue until such removal becomes effective or until a later date not exceeding three months from the effective date of removal if so specified in the notice of removal.

#### **Section 408 Compensation**

The members of the Board of Selectmen and all other elected Town officials shall receive such compensation as may be determined by the Annual Town Budget submitted to and adopted at the annual town budget meeting.

## Section 409 Presentation of Annual Report

The Board of Selectmen shall hold a hearing by February 28 of each year to present the annual report, after which hearing they shall adopt the annual report within fifteen days, with corrections to the official copy, if necessary.

(Approved 11-3-92)

## CHAPTER V. THE FIRST SELECTMAN

### Section 501 General

The First Selectman shall be the full-time, Chief Executive Officer and Chief Administrative officer of the Town. Said First Selectman shall be a full voting and participating member of the Board of Selectmen and shall preside when present at meetings of said board. The First Selectman, or one of the other Selectmen designated by him/her within two weeks of the beginning of their term of office, shall be an ex-officio member of all other town boards, commissions and agencies. The First Selectman or his/her said designee shall receive such advance notification of such meetings as is given to the regular members of said body.

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### Section 502 Powers and Duties

The First Selectman shall have the powers and duties provided in this Charter and those provided in the General Statutes, Special Acts, and ordinances and regulations of the Town of Suffield not inconsistent with this Charter.

- A. He/She shall be the official head of the Town for all ceremonial purposes, for military purposes and for purposes of receiving civil process.
- B. He/She shall establish and be responsible for the administrative and personnel policies for the town offices and employees subject to the approval of the Board of Selectmen. He/She shall execute or cause to be executed the town ordinances, regulations, resolutions and policies.
- C. He/She shall have responsibility for the care, maintenance and operation of all buildings, lands, apparatus and property which are subject to the control of the Board of Selectmen.
- D. With the approval of the Board of Selectmen, he/she shall enter into contracts or agreements with government agencies, corporations and others subject to the limitations in this Charter.
- E. With the approval of the Board of Selectmen, he/she shall supervise the administration of the affairs of the Town, except those matters which, by charter, or by ordinances are exclusively committed to the Board of Education or other boards or commissions.

F. On matters requiring consistency and coordination across Town departments\* and their employees, the First Selectman shall have executive authority, in consultation with any respective board or commission, over Town employees for such matters.

\*With the exception of the Board of Education, WCPA, and the Director of Finance

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## CHAPTER VI. APPOINTIVE PERSONNEL

### Section 601 Appointments

The Board of Selectmen shall from time to time appoint an Administrator of Social Services, a Town Counsel, a Building Inspector, an Assessor, and other such personnel as it may from time to time deem necessary

and appropriate in furtherance of the best interest of the Town. The compensation of such persons, if any, shall be determined in the same manner as provided for determining the compensation of the Board of Selectmen in Section 408 hereof.

#### **Section 602 Vacancies**

Any vacancies in any position appointed by the Board of Selectmen as provided in Section 601 hereof shall be filled by the Board of Selectmen. Persons appointed to fill vacancies in said position shall serve for the unexpired portion of the term vacated if such office has a fixed term, or shall serve for an indefinite term in the event no fixed term is provided for such office.

#### **Section 603 Town Counsel**

- A. The Town Counsel shall be an attorney at law admitted to practice in this State.
- B. Except as otherwise provided by law, he/she shall appear for and protect the rights of the Town in all actions, suits, or procedures brought by or against it or any of its departments, officers, agencies, boards and commissions.
- C. He/She shall be the legal advisor of the Board of Selectmen, and all town officers, agencies, boards and commissions in all matters affecting the Town and shall upon written request furnish a written opinion on any questions of law involving their respective powers and duties.
- D. Upon request he/she shall prepare and approve forms of contracts or other instruments to which the Town is a party or in which it has an interest.
- E. He/She shall have the power, with the approval of the Board of Selectmen, to appeal from orders, decisions and judgments and subject to the approval of said Board of Selectmen, to compromise and settle any claims by or against the Town.

#### **Section 604 Administrator for Social Services**

The Administrator for Social Services shall have the powers such powers and duties as may be prescribed by the Board of Selectmen.

#### ~~Section 605 Superintendent of Public Works~~

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~~— The Superintendent of Public Works shall have the powers and duties not inconsistent with this Charter, conferred or imposed by the Board of Selectmen. —~~

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#### ~~Section 606 Tree Warden~~

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~~— The Tree Warden shall have the powers and duties, not inconsistent with this Charter, conferred or imposed by the General Statutes on such an officer and as may be prescribed by the Board of Selectmen. —~~

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#### ~~Section 607 Dog Warden~~

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~~— The Dog Warden shall have the powers and duties not inconsistent with this Charter, conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen. —~~

#### **Section 608 Constables**

Constables serving the Town of Suffield shall be appointed by the Board of Selectmen; on the Tuesday after the first Monday of January, there shall be appointed six constables who shall hold office for terms of two years from said date, the political affiliation of these said constables shall not be inconsistent with the provisions



of Sec. 9-167a of the General Statutes; and said constables shall have no criminal jurisdiction.

#### **Section 609 Assessor**

~~The Assessor shall serve a term of four years, the first term of which shall have commenced on February 4, 1983.~~ The powers and duties of the Assessor shall be those set forth by any and all of the General Statutes concerning the assessment of real and personal property, particularly Title 12 and Title 9 of the General Statutes.

#### **~~Section 610 Building Inspector~~**

~~The Building Inspector shall have the powers and duties not inconsistent with this Charter, conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen to which he is directly responsible and accountable.~~

#### **Section 611 Director of Finance**

A. A majority of the combined memberships of the Board of Selectmen and the Board of Finance shall appoint for a maximum term of four years, which may be renewed, a director of finance, who shall be chosen exclusively on the basis of professional qualifications, character and administrative experience. The Board of Finance and the Board of Selectmen shall meet at least 90 days prior to the expiration of the present Director of Finance's term to discuss and approve the appointment of a new Director of Finance for a term of up to four years or the reappointment of the present Director of Finance for an additional term of up to four years.

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B. The Director of Finance shall be directly responsible to the Board of Finance for such duties as planning, organization, and direction of accounting, and payroll; assisting in administration of the Town's Insurance, Employee Benefits and Purchasing Programs; assisting in cash management and in the preparation of the operating and capital budgets; responsible to the Board of Selectmen for such other duties as the Board of Selectmen may assign. The Director of Finance, the First Selectman and the Treasurer shall be in frequent contact and shall at all times coordinate their efforts so as to serve the best interest of the Town of Suffield.

C. A majority of the combined membership of the Board of Finance and the Board of Selectmen shall

have the power to remove the Director of Finance, provided; however, no removal proceedings, except for cause, may be initiated until six months following the most recent Town election.  
(Approved 11-3-87, sec 6; Approved 11-3-92)

### **CHAPTER VII. APPOINTED BOARDS AND COMMISSIONS**

#### **Section 701 General Powers and Procedures; Records; Compensation**

A. Except as otherwise provided in this Charter, all appointed boards and commissions shall have the powers and duties prescribed by law.

B. All boards shall make regulations for the conduct of their meetings and the execution of their duties. Such regulations and any amendments thereto shall be filed with the Town Clerk and shall be public records.

C. Copies of all minutes, taken by each board and the recorded vote of each member thereof and

all issues shall be filed with the Town Clerk and with the First Selectman within the time specified in the General Statutes. The Town Clerk shall maintain files of such minutes which shall be public records.

D. Board members shall serve without compensation except that necessary expenses incurred in the performance of their duties shall be paid from appropriation for that purpose.

E. All resignations must be submitted in writing to the Town Clerk.

#### **Section 702 Eligibility**

Except as otherwise provided herein, all members of boards, commissions and committees shall be electors of the Town and shall have such qualifications as may be provided by the Board of Selectmen, or by the General Statutes. Except as otherwise provided herein, if any officer or member shall cease to be an elector of the Town, such person shall thereupon cease to hold such office or membership.

#### **Section 703 Vacancies**

Any vacancy in any appointive board or commission, from whatever cause arising, shall be filled by the Board of Selectmen. Persons appointed to fill such vacancies shall serve for the unexpired portion of the term vacated.

#### **Section 704 Minority Representation**

Minority representation on any appointed board, commission or other similar body of the Town shall be determined in accordance with the provisions of Section 9-167a of the General Statutes.

#### **Section 705 Terms of Office**

Except as otherwise provided in this Charter, the term of office of the appointed boards and commissions shall commence in accordance with the selection schedule established by the Board of Selectmen. All alternate members of boards and commissions unless specifically provided in this Charter shall take office on the first day of July.

The members and alternates on all appointive boards, commissions and committees shall be appointed for terms of four years and until their successors have been appointed and duly qualified. Except as otherwise specifically provided in this Charter, the composition, powers and duties, and all other incidents of said existing and future boards, commissions and committees shall be determined by special acts applicable to the Town and ordinances and, where appropriate, resolutions of the Town, as the same may be amended from time to time. If by virtue of any ordinance or resolution in effect prior to the effective date of this Charter the members or alternates of any existing board, commission or committee have been appointed for terms in excess of or less than four years, the Board of Selectmen shall ensure that future appointments and reappointments shall be for four year terms.

#### **Section 706 Appointed Boards and Commissions**

There shall be the following boards and commissions:

A. Conservation Commission, consisting of seven members and two alternates.

(Approved 11-3-87, Sec. 1)

B. Social Services, consisting of seven regular members who shall be appointed for four-year terms except that the initial terms of four of the seven shall be two years. All succeeding terms for those four members shall be for four years. The Social Services Commission shall oversee the efforts of the Town Social Worker, The Youth Services Director, the Mini Bus and the Senior Center.

(Approved 11-6-01)

C. Advisory Commission for Capital Expenditures, consisting of five regular members and two alternates, none of whom shall hold a salaried town office.

D. Zoning Board of Appeals, consisting of five regular members and three alternates.

E. Parks and Recreation Commission, consisting of seven regular members and two alternates.

F. ~~Office of Civil Preparedness~~Emergency Management Office, consisting of a director and a six member advisory council which shall include the Police Chief, the Fire Chief, Ambulance Director, the First Selectman and two electors of the town.

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G. Permanent Building Commission, consisting of six members and two alternates. The Board of Selectmen shall appoint one of the six members to act as liaison to the Board of Finance. In addition to the six members mentioned above, the Board of Selectmen shall appoint a member from each Board(s)/Commission(s) responsible for a permanent building commission project; said member shall be recommended by that Board(s) or Commission(s) and shall have voting rights only on the matters relevant to that board's or commission's project.

H. Historic District Commission, consisting of five regular members and ~~two~~three alternates.

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I. Housing Authority, consisting of five members.

J. Economic Development Commission, consisting of five members and two alternates.

K. Retirement Commission, consisting of six members, of whom there shall be three electors, the First Selectman, The Town Treasurer, and a member of the Board of Finance appointed by the Chairman of that Board.

L. Such additional appointive boards, commissions and committees as the legislative body of the Town may by ordinance or resolution, as appropriate, from time to time, determine.

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M. The Redevelopment Agency shall be hereby established.

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~~NM.~~ The Library Commission, consisting of twelve members. Following the election of 1987, there shall be appointed six members for a term of four years in place of those members whose elected office shall expire, and following the election of 1989 there shall be appointed six members for a term of four years in place of those members whose elected term of office shall expire. At appropriate dates, thereafter there shall be appointed members of said commission for a term of four years in place of members whose terms expire. There shall be no further election of members after 1985.

~~ON.~~ Building Code Board of Appeals, consisting of five regular members; alternate members will be appointed in accordance with Town ordinance. Such members of the Building Code Board of Appeals are not required to be electors of the Town of Suffield and all members must be qualified according to the specifications of the General Statutes of the State of Connecticut.

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(Approved 11-3-92)

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~~P. Public Works Commission consisting of seven regular members who shall be appointed for four year terms except that the initial terms of four of the seven members shall be for two years. All succeeding~~

~~terms for those four members shall be four years. The Public Works Commission shall replace the Landfill Commission and assume its duties. In addition, the Public Works Commission shall oversee the efforts of the Highway Department and Town Engineer.~~

(Approved 11-6-01)

#### **Section 707 Regional and Interlocal Agencies**

The Town shall continue to participate in such regional and interlocal agencies and programs as authorized by ordinances adopted pursuant to the applicable provisions of the General Statutes.

Nothing in this Charter shall be construed as limiting the authority of the Town to continue such participation or join new regional programs.

#### **Section 708 Creation and Discontinuance of Offices and Temporary Committees**

The First Selectman shall appoint and may remove, each such action with the approval of the majority of the Board of Selectmen, such other assistants, employees or temporary committees as may be required by the needs of the Town, subject to such rules and regulations concerning town employees as may be adopted pursuant to the provisions of Chapter IX of this Charter. The Board of Selectmen, by majority vote of the entire Board may also discontinue any such position of assistant, employee or temporary committee which it deems no longer necessary or proper to continue in existence.

### **CHAPTER VIII. FINANCE AND TAXATION**

#### **Section 801 Fiscal Year**

The fiscal year of the Town shall begin on the first day of July and shall end on the thirtieth day of June.

#### **Section 802 General Powers and Duties of the Board of Finance**

The Board of Finance shall have all the powers and duties provided by the General Statutes and this Charter. The Board of Finance shall be the financial and budget-making authority of the Town, and shall organize its work to provide:

- (1) Preparation of the Annual Town Budget for the following fiscal year,
- (2) Management and monitoring of the Annual Town Budget for the current year,
- (3) Annual audit of the books and accounts of the Town by an independent public accountant or firm of independent public accountants, as provided in the General Statutes of the State of Connecticut,
- (4) Development of long-range financial planning for the Town in conjunction with the Advisory Commission on Capital Expenditures,
- (5) Preparation and publication and distribution of the Town Report.

~~Four members shall constitute a quorum and no vote, resolution or other matter shall be approved by fewer than four affirmative votes. When the number of board members in attendance is four (4), no more than one (1) alternate shall be seated. When the number of board members in attendance is five (5) or six (6) no more than two (2) alternates shall be seated.~~

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~~Four members shall constitute a quorum and no vote, resolution or other matter shall be approved by fewer than four affirmative votes. The total number of all voting members, alternates plus regular members, shall never be greater than six (6).~~

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## Section 803 Annual Town Budget Preparation

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### Section 803-1 Board of Selectmen

The Board of Selectmen will receive from all Offices, Departments Boards, Committees or Agencies of the Town dependent on the Annual Town ~~B~~Budget for any portion of their operating income, excepting the Board of Education, not later than 1 February a copy of their separate itemized recommended Annual Town ~~B~~Budget for the ensuing year.

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Not later than 1 March, the Board of Selectmen will present to the Board of Finance a consolidated recommended Annual Town ~~B~~Budget, containing such detail as required by the Board of Finance and outlining the financial policy of the town government, describing therein features of the budget plan, indicating any major changes from the current fiscal year and changes from those recommendations of the several Boards, Commissions, Agencies with reasons therefore. As a part of the Annual Town ~~B~~Budget, the Board of Selectmen shall present a recommended program concerning municipal improvements or proposed capital projects for the ensuing fiscal year and for five years thereafter.

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In preparing the consolidated recommended Annual Town ~~B~~Budget the Board of Selectmen will affect such savings/budget reductions as may result from centralized purchasing and bidding procedures as have been outlined by the Board of Finance.

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### Section 803-2 Board of Finance

Preliminary discussions: at the beginning of each administration and once a year prior to the determination of budgetary guidelines for the ensuing fiscal year, the Board of Finance may request a meeting with the Board of Selectmen for purposes of general discussion of goals and financial commitments of all departments, boards, offices, agencies and committees of the Town other than the Board of Education; similarly, such meeting may be requested with the Board of Education.

Not later than the fifteenth day of January, the Board of Finance will make known to the Chairmen of those Boards, Committees, Agencies and office of the Town dependent on the Annual Town ~~B~~Budget for any portion of their operating income, such guidelines, forms, requisites as may direct and assist the preparation and presentation of their respective budget proposals.

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The Board of Finance will receive from the aforementioned Boards, Committees, Agencies of the Town not later than 1 February their separate itemized estimate of expenditures for the ensuing fiscal year and will receive from the Board of Selectmen not later than 1 March the consolidated recommended Annual Town ~~B~~Budget for the Town, not including the Board of Education. The budget proposal of the Board of Education shall be presented to the Board of Finance not later than the last Monday of March.

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The Board of Finance will review the several and joint estimates of expenditures; it will attempt to reconcile priorities, estimates, proposals through meetings with the Chairman and First Selectman; it will refine its review of the preliminary Annual Town ~~Bu~~budget with estimates of income and will prepare its own preliminary Annual Town ~~B~~Budget which shall become the proposed Annual Town-town ~~B~~Budget. These actions should be completed not later than 1 May.

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### Section 803-3 Annual Town Meeting For Annual Town Budget Approval

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Not later than fourteen (14) days prior to the scheduled Annual Town Meeting for Annual Town Budget Approval, the Board of Finance will hold at least one public hearing at which time any elector or

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taxpayer shall have the opportunity to be heard regarding appropriations for the ensuing year. Printed copies of the proposed Annual Town bBBudget shall be available at the office of the Town Clerk not less than forty-eight (48) hours prior to said hearing, and the Board may make such copies available at such other locations and through distributions as it may prescribe. Further, at least five (5) days prior to the hearing, the Board will cause to be published in a newspaper having a general circulation within the Town a notice of that hearing, an abbreviated summary of proposed Annual Town bBBudget estimates, and the estimated amount to be raised by taxation.

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After the hearing(s), the Board of Finance shall then revise the preliminary Annual Town bBBudget if/as it deems desirable, and shall prepare a final proposed ~~town~~ Annual Town bBBudget which shall be filed with the Town Clerk for presentation at the Town Meeting for its adoption. Sufficient copies of the final proposed ~~town~~ Annual Town bBBudget shall be made available for distribution in the office of the Town Clerk at least five (5) days prior to the Annual Town Meeting for Annual Town Budget Approval; further and again, at least five (5) days prior to the Town Meeting the final proposed ~~town~~ Annual Town bBBudget shall be published in accordance with the General Statutes.

Within ten days after the adoption of the Annual Town bBBudget the Board of Finance shall fix the tax rate in mills which shall be levied on the taxable property in the Town for the ensuing fiscal year.

Should the Town Meeting reject the proposed ~~a~~ Annual Town bBBudget, the procedures of Section 1005 herein will prevail.  
(Approved 11-3-92)

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#### Section 804 Other Financial Matters

A. The estimated expenditures submitted by the Board of Finance to the Annual Town

Budget Meeting may include a recommendation for a contingency fund which shall not exceed two percent of the total expenditures for the current fiscal year. No expenditures or transfers may be made from this fund without the approval of the Board of Finance.

B. Upon recommendation of the Board of Finance and approval by the ~~Annual~~ Annual Town Budget

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Meeting, a reserve fund for capital and non-recurring expenses may be established and used in accordance with the General Statutes.  
(Approved 11-6-01)

Upon recommendation of the Board of Finance and the approval of the ~~Annual~~ Annual Town Budget Meeting there shall be paid into the reserve fund.

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(1) Monies transferred thereto from the general fund cash surplus available at the end of any fiscal year;

(2) Monies raised by annual levy of a tax not to exceed two mills for the benefit of such fund, and for no other purpose, such tax to be levied and collected in the same manner and at the same time as the regular taxes of the Town;

(3) Monies which are surplus cash funds already held in reserve and available for such capital and non-recurring expenditures as are contemplated/provided in the following paragraphs. All such monies so accumulated together with the interest which may accrue thereon shall be deposited in a separate bank account by the Treasurer and shall be used for the purposes of and in a manner prescribed by the Board of Finance and the Town Meeting.

All or any portion of the reserve fund may be used to finance the planning, construction, reconstruction, acquisition of any specific item or equipment of such category, character, or nature as not to be a purpose or object for which any appropriation is customarily made annually. Such appropriation may be made only

upon recommendation of the Board of Finance and with the approval of a duly called Town Meeting. The designated amount(s) may be decreased by the Town Meeting but may not be increased.

The Town Meeting may make no special appropriation or transfer of funds not recommended by the Board of Finance. Upon such approval of any project or acquisition, an appropriation shall be set up plainly designated for the specific project or acquisition for which it was approved, and such unexpended appropriation may continue, subject to limitations hereinafter stated, until such project or acquisition is completed. Any unexpended portion of the appropriation remaining after completion shall revert to the reserve fund.

Any appropriation set up to be drawn from the reserve fund may at any time subsequent to the effective date of its establishment, upon recommendation of the Board of Finance and approval of a Town Meeting, be terminated. If no expenditure from or encumbrance of any such appropriation has been made within a period of three fiscal years next following the effective day of such appropriation, that appropriation shall be terminated upon approval of a duly warned Town Meeting. The fiscal year in which such appropriation was authorized shall be deemed the first fiscal year of the three-year period.

The Board of Finance, the Town Meeting, and any Town Official(s) who may be concerned with the operation of this fund shall have any and all further powers as provided in Chapt. 108 of the General Statutes necessary to implement and administer the operation of this fund and not specifically granted herein.

C. Supplemental Appropriations are permitted for items not listed in the approved ~~Annual~~ Annual ~~Town~~ Town Budget – or caused by serious budgetary deficiencies. All requests for special appropriations shall be made in writing to the Board of Selectmen. The Selectmen shall make their comments and recommendations and, if appropriate, shall include the Treasurer's recommendations on financing, and shall present the request to the Board of Finance for action. The Board of Finance shall act on all requests for supplemental appropriations and if such appropriation is to be recommended will move for the call of the town meeting.

D. For the purpose of meeting a public emergency threatening the lives, health ~~and or~~ property of citizens, emergency appropriations, the total amount of which in any fiscal year shall not exceed two percent of the ~~Annual~~ Town ~~Budget~~, may be made by the Board of Finance by an affirmative vote of not fewer than four members thereof, ~~at least three of whom shall not be alternates~~, upon previous recommendation of the Board of Selectmen. In the absence of sufficient available unappropriated and unencumbered general fund resources to meet such appropriations, additional means of financing shall be provided in such a manner, consistent with the provisions of this Charter, as may be determined by the Board of Finance.

E. Initial applications for federal and state grants involving the expenditure of town funds, not otherwise requiring action by a Town Meeting, shall require approval by the Board of Selectmen and Board of Finance.

The acceptance and appropriation of federal or state government grants of an amount equal to one quarter of one percent of the adopted ~~Annual~~ Town ~~Budget~~ or less may be made by the Board of Finance and either the Board of Selectmen or Board of Education without Town Meeting approval.  
(Approved 11-3-87, Sec.5; Approved 11-3-92)

## Section 805 Borrowing

The Town shall have the power to incur indebtedness by issuing its bonds or notes, subject to the limitations defined in the General Statutes and the provisions of this Charter. The issuance of bonds and notes, the terms of which is in excess of one year, except tax anticipation notes, shall be authorized by resolution passed by majority vote at a duly warned Town Meeting.

The Town may, however, borrow in anticipation of taxes an amount not to exceed such taxes. The Town Treasurer, with the approval of the Board of Selectmen and the concurrence of the Board of Finance, is authorized and empowered to borrow money in anticipation of taxes to be collected and to issue town notes therefore, in amount not to exceed one million dollars. The Town may borrow in anticipation of taxes in excess of one million dollars but not to exceed such taxes, upon recommendation of the Board of Finance and affirmative vote by a majority of qualified voters present and voting at a duly

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warned Town Meeting. Any amount borrowed in anticipation of taxes shall be repaid within the same fiscal year.

#### Section 806 Contributions

The Town shall make no contributions to any organization or private corporation except as herein provided. All contributions will be deliberated with due consideration given to financial statements of target organizations, agencies and corporations submitted in support of the request for funds, and all approved contributions will be listed as an integral part of the Town's Annual Budget.

#### Section 807 Expenditures and Accounting

A. The Town's financial records shall be maintained in accordance with generally accepted accounting principles as required by the General Statutes.

B. The Treasurer or his agent shall cause the amount of authorized purchases and contracts for future purchases to be recorded as encumbrances against the appropriations from which they are to be paid. Similarly, in the management of the accounts for which they have been authorized control, the Board of Education will apply like procedures.

C. No expenditure and no commitment to make an expenditure shall be made, caused to be made, or authorized by any officer, agent, or agency of the Town, or by any Board or Commission of the Town unless an appropriation shall have been made covering such an expenditure or commitment in accordance with the provisions of this Charter.

D. Each order drawn upon the Town shall state the department, commission, board, agency or officer and the appropriation against which it is to be charged.

E. No voucher, claim or charge against the Town shall be paid until the same has been

audited for correctness and validity and approved for payment by the Treasurer or his agent. \_-

-  
\_\_\_\_\_ The Board of Selectmen, with input from the Board of Finance, will exercise primary responsibility for formulation of policy relative to requirements for quotes, bids and such other criteria as they may establish to control purchasing and the accomplishment of purchase orders, and the Board of Finance, will exercise oversight responsibilities over all Boards, Commissions, Agencies of the Town.  
and

Payment of all approved claims against the Board of Education shall be first authorized by the Superintendent of Schools or his agent and by a designated member of the Board of Education, which authorization shall be valid when countersigned by the Treasurer or his agent acting as the Treasurer. Similarly, approved claims against the Water Pollution Control Authority shall first be authorized by the Chairman of the Authority or his agent and shall be valid when countersigned by the Treasurer or his agent acting as the Treasurer. Payment of all other town accounts shall be authorized by the First Selectman and one other member of the Board of Selectmen, which authorization shall be valid when countersigned by the Treasurer or his agent acting as the Treasurer, provided that in the absence of or the ability to act of the First Selectman, ~~the two remaining selectmen of the Board of Selectmen will be signatories of the authorization~~ any two (2) of the remaining Selectmen will be signatories of the authorization.

F. Every payment made in violation of the provisions of this Charter shall be deemed illegal, null and void, and every official willfully authorizing or making such payment or taking part therein or receiving any part thereof shall be jointly and severally liable to the Town for full amount so paid or received.

G. The Treasurer shall prescribe the time at which and the manner in which persons

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receiving money on behalf of the Town shall pay the same to him in his capacity as Town Treasurer.

H. Upon request the Board of Selectmen during the final thirty days of the fiscal year, the

Board of Finance may by resolution, transfer any unencumbered appropriation, balance or portion thereof from one department, board commission, agency or office to another provided; however, that this provision shall not apply to the appropriations allocated to the Board of Education or to the Water Pollution Control Authority. This paragraph does not pertain to utilization of the Town contingency fund.

I. Any portion of an annual appropriation remaining unexpended or unencumbered at the close of the fiscal year shall lapse; provided, however, that appropriations for construction or for the other permanent improvements from whatever source derived, shall not elapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided further that any such project shall have been deemed abandoned if three fiscal years shall elapse without any expenditure from or encumbrances of the appropriation therefor.

J. The Board of Finance shall prescribe such periodic reporting of income and encumbrance and expenditures from all Town Agencies dependent on the Annual Town bBudget for any portion of their income as it deems necessary.

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K. The Board of Selectmen in conjunction with the Board of Finance shall be responsible for developing a written policy to provide for centralized purchasing in an efficient manner, using competitive bidding to the maximum extent practicable.

The First Selectman shall be responsible for ensuring compliance with such written policy and shall inform the Board of Finance of the extent of compliance with such a policy on at least a semi-annual basis. The Board of Finance shall consider compliance of each office, board and commission with such policy in preparing and approving the Annual Town bBudget for the upcoming fiscal year.

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## CHAPTER IX. TOWN EMPLOYEES

### Section 901 Personnel Policy

The Board of Selectmen shall be responsible for the personnel policies of the Town and shall prepare and keep up-to-date the following subject to the provisions of applicable state statutes dealing with municipal collective bargaining agreements to which the Town is a party:

A. A statement of the duties and responsibilities of all employees of the Town.

B. A set of personnel rules which may provide, among other things, for a method of holding competitive examinations and for the probationary period of employment, and which shall provide for hours of work, vacations, sick leaves, removals and such other rules as may be necessary to provide an adequate and systematic procedure for the administration of the personnel affairs of the Town.

C. A standard, systematic schedule of pay for each position held by any town employee.

The foregoing statements, rules and pay schedules shall be filed with the Town Clerk and copies shall be public records.

## CHAPTER X. TOWN MEETING

## Section 1001 Legislative Powers

A. The legislative power of the Town shall be vested in the town meeting.

B. Any town meeting shall be warned and conducted in accordance with the provisions of Sections 7-1 through 7-8 inclusive, of the General Statutes; provided, however, that the provisions of this Charter, where inconsistent with the General Statutes, shall control.

## Section 1002 The Annual Town Meeting

The Annual Town Meeting shall be the first Town Meeting held in each calendar year.  
(Approved 11-3-92)

## Section 1003 Special Town Meeting

In addition to the provisions for town meetings by petition, the Board of Selectmen may call a Special Town Meeting whenever they deem it necessary or appropriate.

## Section 1004 Procedure

All town meetings shall be called to order by the Town Clerk or by a member of the Board of Selectmen. A moderator shall be elected and all business shall be conducted in a manner now or hereafter provided by the General Statutes, except as may otherwise be provided in this Charter. The Town Clerk shall serve as clerk of all town meetings, but in the absence of the Town Clerk, an acting clerk may be designated by the meeting.

All actions at a town meeting shall be adopted by a majority vote of the qualified voters present and voting at the meeting, unless otherwise provided by this Charter.

## Section 1005 Adoption of the Annual Town Budget

A. Adoption of the Annual Town Budget submitted by the Board of Finance shall be by vote at the annual

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Town Budget Meeting held on or before the second Wednesday of May. An initial public hearing must be held by the Board of Finance at least two weeks prior to the Town Meeting to present the Annual Town Budget. The Board of Finance may modify the Annual Town Budget presented at the public hearing prior to the Town Meeting. Amendments to the Annual Town Budget, to the extent allowed by law, may be passed by the Town Meeting, and the proposed Annual Town Budget, and any amendments thereto, must be voted on at the Annual Town Budget Meeting.

If an Annual Town Budget is defeated at the Town Budget Meeting and no referendum is petitioned in accordance with section 1005B, an Annual Town Budget must be presented by the Board of Finance to a public hearing within seven days and to the voters at Town Meeting within fourteen days of rejection.  
(Approved 11-6-01)

B. Regardless of the vote at the Annual Town Budget Meeting a petition may be presented to

the Town Clerk within ten days after the meeting requesting a referendum on the Annual Town Budget that was either approved or rejected by the annual Town Budget meeting. Said petition must be signed by at least that number of voters equal to ten percent of the electors of the Town. A referendum must be scheduled within twenty-one days of the receipt of the petition, by the Town Clerk. Said referendum shall be scheduled by the Board of Selectmen in accordance with the notice requirements for a Town Meeting as provided for in the Connecticut General Statutes.

Once a petition has been accepted by the Town Clerk, all further budget votes on the Annual Town bBudget that is the subject of the petition shall be by referendum, and no further petitions shall be required. If an Annual Town a bBudget is defeated at referendum, an Annual Town bBudget must be presented by the Board of Finance at a public hearing within ten days of the rejection at referendum, and a new referendum must be held within ten days of the public hearing. The Board of Finance may modify the Annual Town bBudget presented at the public hearing prior to the referendum. The dates for any further Annual Town bBudget referenda shall be set by the Board of Finance and notice shall be given as specified above.

(Approved 11-3-92; Approved 11-6-01)

#### Section 1006 Actions Requiring a Town Meeting

A town meeting shall be required for any of the following actions:

A. Adoption of the aAnnual Town bBudget.

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B. Any resolution making an appropriation not included in the aAnnual Town bBudget.

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C. Any transfer of funds which will result in aggregate transfer during any fiscal year in excess of one quarter of one percent (0.25%) of the total current ~~town~~ Annual Town bBudget to or from any one account.

(Approved 11-3-87, Sec. 3; Approved 11-3-92)

D. Any resolution authorizing the issuance of notes or other borrowing not included in the Annual Town bBudget, except as noted in Section 805.

E. Any resolution authorizing the issuance of bonds in any amount.

F. Any sale or other conveyance of real estate or any interest therein of the Town except property acquired by tax foreclosure, and any purchase or other acquisition of real estate or interest therein, except for purchase of an easement or right-of-way for \$5,000 or less and except for the acquisition of any drainage or utility easements or facilities which a Town board or commission requires to be deeded to the Town as a condition of the approval of plans for development of land.

(Approved 11-6-01)

~~G. Real estate leases or lease options to which the Town is a party for terms in excess of five years. Real estate leases or lease options for terms less than five years shall be negotiated and executed by the Board of Selectmen.~~  
~~Real estate leases and any extensions or renewals thereof or lease options to which the Town is a party for terms in excess of an aggregate of five years. Real estate leases and any extensions or renewals thereof or lease options for terms of five years or less shall be negotiated and executed by the Board of Selectmen.~~

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~~H. The discontinuance or abandonment of town roads, the establishment of town roads, and the acceptance as town roads of existing or proposed roads.~~  
~~The discontinuance or abandonment of town roads and the acceptance of established private roads as town roads, except for the acceptance of roads built in accordance with plans approved by the Planning and Zoning Commission in connection with any new development of land.~~

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I. The town meeting shall have the sole power to enact and repeal ordinances consistent

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with this Charter and the General Statutes.

J. In addition to all matters requiring town meeting approval, the Board of Selectmen may bring before a town meeting including a Special Town Meeting, for its consideration on any other matter the Board of Selectmen considers of sufficient importance to warrant town meeting consideration.  
(Approved 11-3-92)

### Section 1007 Town Meeting by Petition

A. Upon petition filed with the Town Clerk and signed by electors of the Town of Suffield in a number not less than 2% of the registered electors of the Town as determined by the most recent official list of registered electors, petitioning for the warning and convening of a town meeting, said petition to be in accordance with the provisions of Section 7-9 of the General Statutes and to contain the matter or text of the proposed ordinance or resolution to be considered at said town meeting, the Town Clerk shall within ten days determine whether or not the petition contains the required number of valid signatures, and if it does, shall so certify to the Board of Selectmen within ten days. Said petition may propose consideration of any matter proper to come before a town meeting except an ordinance or resolution

- (1) Appointing or removing officials,
- (2) Specifying the compensation or hours of work of officials and employees,
- (3) Adopting the ~~a~~Annual ~~Town~~ ~~b~~Budget,
- (4) Authorizing the levy of taxes, or
- (5) Fixing the tax rate.

Upon receipt of such certification from the Town Clerk, the Board of Selectmen shall within thirty days thereafter cause to be convened a town meeting, duly warned in accordance with the provisions of Sections 7-3 and 7-4 of the General Statutes, which meeting may be adjourned from time to time as the interest of the Town requires

At said town meeting the only matters that may be considered shall be those matters set forth in said petition. Said town meeting shall be conducted in accordance with the provisions of Sections 7-5 through 7-8, inclusive, of the General Statutes, except that a referendum may only be called in accordance with the provisions of Charter Sections 1005B or 1009.

(Approved 11-6-01)

B. Any ordinance or resolution so proposed in such a petition shall be examined by the Town

Counsel prior to submission to the town meeting; and prior to or at the town meeting said Town Counsel shall give his opinion, orally or in writing, with respect to the form of the proposal and its conformity to and relationship with existing constitutions, statutes, special acts, ordinances and regulations.

### Section 1008 Limitations Regarding Appropriations

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No appropriations may be authorized by any town meeting unless such appropriation has been recommended by the Board of Finance, or such appropriation is requested in a petition signed by not less than ten-six percent of the registered electors of the Town as determined by the most recent official list of registered voters. Signatures on the petition for the referendum must be signed and dated after the action has taken place for which the referendum is sought and the required number of signatures must be completed in 21 days of such action.

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#### Section 1009 Referendum ~~by Petition~~

A. The Board of Selectmen may present any issue to the Town for vote by referendum

A. provided, that those issues set forth in Charter Sections 1006A through 1006I, inclusive, must first be submitted to and decided by a town meeting before the Selectmen may call a referendum on such issue or issues. Notwithstanding the provisions of section 1007 of this charter the Board of Selectmen may present any issue to the Town at an adjourned Town Meeting for vote by referendum. (An adjourned Town Meeting is a Town Meeting where there will be a referendum on the question(s) considered at the Town Meeting no matter what, if any, action is taken on the matter at the Town Meeting)

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B. A referendum from the decision of the Annual Town Budget Meeting may only be called in accordance with the provisions of Charter Section 1005B.

C. Regardless of the vote at a Town meeting, except for the Annual Town Budget Meeting,

a petition may be presented to the Town Clerk within ten-21 days after the town meeting requesting a referendum on the issue or issues which were either approved or rejected by the Town Meeting. The petition must be signed by at least that number of voters equal to ten-six percent of the electors of the Town. Signatures on the petition for the referendum must be signed and dated after the action has taken place for which the referendum is sought. The Board of Selectmen must schedule the referendum for a date which is no more than twenty-one days from the receipt of a valid petition by the Town Clerk. \_

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(Approved 11-6-01)

#### Section 1010 Adjourned Town meeting

Notwithstanding the provisions of section 1007 and section 1009A of this Charter, the Board of Selectmen may present any issue to the Town at an adjourned Town Meeting as defined by Connecticut statutes for a vote by ballot.

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### CHAPTER XI. CONFLICT OF INTEREST AND CODE OF ETHICS

#### Section 1101 Conflict of Interest

Any elected or appointed town officer, official or employee, including any member of any town board or commission who has a financial interest, direct or indirect, in any contract, transaction or decision of any agency, agent, officer, board or commission of the Town, to which the Town is a party, shall as soon as such financial interests shall appear to him disclose the nature and extent of that interest in writing to the Board of Selectmen who shall record such disclosure upon the official record in the office of the Town Clerk.

Any such officer, official, employee, board member or commission member shall be disqualified from acting on any such matter coming before such agency, agent, officer, board or commission. Violation of the provisions of this section shall be grounds for the removal of any such

officer, official, employee, board or commission member. Such violation with the knowledge, expressed or implied, of any person, firm, partnership or corporation participating in such contract, transaction or decision shall render the same voidable by the Board of Selectmen.

#### Section 1102 Code of Ethics

~~Within one year of the Town's acceptance of this Charter, the Board of Selectmen shall recommend to the legislative body of the Town a proposed ordinance comprising a~~ The Town's Code of Ethics ~~shall~~ govern the conduct of elected and appointed officers, employees, and board and commission members of the Town.

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### CHAPTER XII. MISCELLANEOUS PROVISIONS

#### Section 1201 Transfer of Power

The powers which are conferred and the duties which are imposed upon any office, board or commission under the General Statutes, or any ordinance or regulation, in force at the time of this Charter, shall take effect and, if such office, board or commission is abolished by this Charter or superseded by the creation herein of a new commission, board or office upon which are granted similar powers and jurisdiction, shall be thereafter exercised and discharged by the commission, board or office upon which are imposed corresponding or like functions, powers, and duties under the provisions of this Charter. All commissions, boards and offices abolished by this Charter, whether elective or appointive, shall continue in the performance of their duties until provision shall have been made for the discontinuances of such of such commissions, boards and offices and the performance of their duties by other commissions, board and offices created by this Charter and until the Town Clerk shall have notified the members of such commissions, boards or offices as are abolished by this Charter that their successors have qualified.

#### Section 1202 Transfer of Records and Property

All records, property, and equipment whatsoever of any commission, board or office or part thereof, all the powers and duties of which are assigned to any other commission, board or office by the Charter, shall be transferred and delivered intact forthwith to the commission, board or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board or office are by this Charter assigned to another commission, board or office, all records, property and equipment relating exclusively, thereto shall be transferred and delivered intact forthwith to the commission, board or office to which such powers and duties are so assigned. Otherwise all such records, property and equipment shall be transferred and delivered intact for protective storage by and under the responsibility of the Town Clerk.

#### Section 1203 Status of Employees

All employees of the Town on the effective date of this Charter shall retain such position pending action by the appropriate person or agency charged by this charter with powers and appointment or removal of said employees. Any provisions in force at the time of this Charter shall take effect, and not inconsistent with this Charter, in relation to personnel, appointments, ranks, grades, tenure of office, promotions, removals, pension and retirement rights, civil rights or any other rights or privileges of employees of the Town or any office, department or agency thereof shall continue in effect, unless and until amended or repealed in accordance with the provisions of this charter.

All officers, commissions, boards, agencies and other entities shall have the power to engage such employees and consultants as necessary. However, no officer, commission, board, agency or other entity shall employ part time or full time employees in excess of the number provided for in the Annual Town Budget approved by the Board of Finance, without the prior approval of the Board of Finance and the recommendation of the Board of Selectmen.

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#### **Sec. 1204 Continuation of Appropriations and Town Funds**

All appropriations approved and in force and all funds, including special or reserved funds in the name of the Town, at the time of the adoption of this Charter, shall remain in full force and effect, unless and until the same shall be amended, transferred or abolished by the Board of Finance under the provisions of this Charter.

#### **Section 1205 Legal Proceedings**

No action or proceeding, civil or criminal, pending on the effective date of this Charter, brought by or against the Town or any office, agency, board or commission thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding the fact that the functions, powers and duties of any office, agency, board or commission party thereto may by or under this Charter be assigned or transferred to another office, agency, board or commission, but in that event the same may be prosecuted or defended by the head of the office, agency, board or commission to which such functions, powers and duties have been assigned or transferred by or under this Charter.

#### **Section 1206 Existing Laws and Ordinances**

On and after the effective date of this Charter, all general laws of the State of Connecticut applying to the Town, all ordinances or parts of ordinances and all bylaws or parts of bylaws of the Town, and all rules and regulations of commissions, boards and agencies of the Town not inconsistent with the provisions of this Charter or repealed thereby shall be and shall continue to remain in full force and effect unless and until repealed or amended. All special acts or parts of special acts of the State of Connecticut relating to the Town of Suffield, except those expressly repealed by the provisions of this section, shall continue to apply in full force and effect, except as they are inconsistent with the provisions of this Charter. The following Special Acts of the State of Connecticut shall be repealed: "Special Act No. 423 (1959) An Act Concerning Minority Representation on the Board of Finance in the Town of Suffield"; "Special Act No. 528 (1949) An Act Establishing A Zoning and Planning Commission for the Town of Suffield"; and the Zoning and Planning Commission and the Zoning Board of Appeals shall be considered established under the provisions of Section seven of this Charter and the General Statutes of the State of Connecticut.

(Approved 11-3-92)

#### **Section 1207 Review and Amendment of the Charter**

This Charter may be amended in the manner prescribed by the General Statutes. The Board of Selectmen shall review the several provisions of this Charter from time to time as it deems such review to be in the best interest of the Town but not less often than once every five years, said review to be published as part of the annual town report. The Board of Selectmen shall appoint commission not later than five years from the effective date of this Charter to review, amend or revise said Charter in the manner prescribed by the General Statutes.

#### **Section 1208 Rules of Construction and Saving Clause**

A. This Charter is intended to avail, make use of and exercise the full home rule powers of

the Town under the Home Rule Law, and any other statute now in effect or hereafter enacted and any other home rule powers thereof under the Constitution of the State of Connecticut, under the common law, or otherwise.

B. If any section or part of any section of this Charter shall be held invalid by a court of

competent jurisdiction, such holding shall not effect the remainder of this Charter nor the context in which said section or part thereof so held invalid may appear, except to the extent that an entire section or part of a section may be inseparable connected in meaning and effect with the section or part of the

section to which such ruling shall directly apply.

#### Section 1209 Usage

When the context so requires, the masculine gender shall include the feminine and the singular shall include the plural, and the plural the singular.

#### Section 1210 References to the General Statutes, Special Acts and Ordinances

All references to the General Statutes made herein are to the General Statutes of the State of Connecticut, revision of 1958, and all references to said General Statutes, to the Special Acts or Special Laws of the State of Connecticut and to the ordinances, regulations and bylaws of the Town of Suffield are to them as they exist on the effective date of this Charter and as the same may be amended from time to time.

#### Section 1211 Effective Date January 7, 1985

This Charter shall become effective the first Monday of January, 1985.

#### Section 1212 Non substantive changes to the Charter.

The municipal legislative body may make minor and technical revisions of a non-substantive nature to the charter or home rule ordinance provided such revisions are deemed minor, technical and non-substantive by a two-thirds majority vote of such legislative body.

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### SUBPART B SPECIAL ACTS RELATING TO THE TOWN\*

**Special Act (1869)**, An Act Relating to Burial Grounds

**Special Act No. 513 (1901)**, An Act Concerning the Suffield Free Library

**Special Act No. 437 (1931)**, An Act Including the Highway and Bridge Between the Town of Suffield and the Village of Thompsonville in the Trunk Line System.

**Special Act No. 477 (1931)**, An Act Including the Highway from Suffield Through West Suffield, to the Massachusetts State Line in the Trunk Line System.

**Special Act No. 464 (1933)**, An Act Including a Highway in the Town of Suffield in the Trunk Line System.

**Special Act No. 278 (1935)**, An Act Including in the Trunk Line System a Highway in the Town of Suffield.

**Special Act No. 263 (1937)**, An Act Including a Highway in the Town of Suffield in the Trunk Line System.

**Special Act No. 163 (1939)**, An Act Establishing a Police Department in the Town of Suffield.

**Special Act No. 100 (1941)**, An Act Including North Street in the Town of Suffield in the Trunk Line System.

**Special Act No. 34 (1945)**, An Act Validating the Sale by the Town of Suffield of Certain School



Property to Elizabeth Stratton.

**Special Act No. 89 (1945)**, An Act Establishing a Fire Department in the Town of Suffield,

**Special Act No. 100 (1945)**, An Act Amending an Act Establishing a Police Department in the Town of Suffield.

**Special Act No. 159 (1947)**, An Act Establishing a Regional Zoning Authority for the Towns of Suffield, Windsor Locks, Windsor, and East Granby.

**Special Act No. 270 (1947)**, An Act Concerning the Kent Memorial Library

**Special Act No. 528 (1949)**, An Act Establishing a Zoning and Planning Commission for the Town of Suffield.

**Special Act No. 312 (1951)**, An Act Providing for a Pension for Frank Smith.

**Special Act No. 48 (1953)**, An Act Concerning the Duties of the Tax Collector of the Town of Suffield.

**Special Act No. 423 (1959)**, An Act Concerning Minority Representation on the Board of Finance in the Town of Suffield.

**Editor's note**-Subpart B contains a chronological list of the special acts of the general assembly concerning the Town of Suffield

**Special Act No. 252 (1961)**, An Act Concerning the Establishment of a Pension Plan for the Town of Suffield.

**Special Act No. 152 (1967)**, An Act Providing for a Study of the Establishment of a Vocational School in Enfield.

## CHARTER COMPERATIVE TABLE

The original Charter, sections 101 through 1211, is set out as adopted on January 7, 1985. This table shows the location of amendments to the Charter, together with date of approval by the voters and disposition therein.

Date Approved	Section Section	this Charter
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